

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

HERON THERAPEUTICS, INC.,

Plaintiff,

v.

FRESENIUS KABI USA, LLC,

Defendant.

C.A. No. 22-985-WCB

NOTICE OF APPEAL

NOTICE is hereby given that Defendant Fresenius Kabi USA, LLC (“Fresenius Kabi”), hereby appeals to the United States Court of Appeals for the Federal Circuit from this Court’s Final Judgment entered on December 9, 2024 (D.I. 195), together with all subsidiary rulings, orders and decisions underlying that judgment, including without limitation, the Court’s Findings of Fact and Conclusions of Law (D.I. 193), claim construction order (D.I. 54), and summary judgment order (D.I. 150).

In accordance with 28 U.S.C. §§ 1913 and 1917, Rule 52 of the Federal Circuit Rules of Practice, and Federal Rule of Appellate Procedure 3(e), Fresenius Kabi submits payment of \$605.00, representing the \$600.00 filing fee and the \$5.00 statutory fee.

Date: January 7, 2025

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